



**TOWNSHIP OF ROCHELLE PARK
151 WEST PASSAIC STREET
ROCHELLE PARK, NEW JERSEY 07662**

MINUTES – PUBLIC MEETING – September 21, 2011

Call to Order 7:35 PM

According to the Open Public Meetings Act, this meeting of September 21, 2011 was advertised in the notice sent to the "Our Town" and "The Record" and posted on the bulletin board in the Municipal Building on January 3, 2011 and has remained continuously posted as the required notice under the Statute and is being taped. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

Roll Call: Comm. R. Davidson
 Comm. K. J. Kovalcik
 Comm. F. Valenzuela
 Comm. J. Ouellette
 Mayor J. Scarpa

Pledge of Allegiance was led by Sal Antista

Mayor Scarpa asked that everyone remain standing for a moment of silence remembering those in the military stationed overseas.

A motion was offered by Comm. Valenzuela and seconded by Comm. Ouellette to approve the agenda. Motion carried on a voice vote – all present voting "Aye".

A motion was offered by Comm. Davidson and seconded by Comm. Ouellette to approve the minutes of the Public Meeting held on August 17, 2011. Motion carried on a voice vote – "Ayes" Davidson, Kovalcik, Ouellette, Scarpa, "Nays" – None, Abstain - Valenzuela

Presentations

Rochelle Park EMS

Comm. Kovalcik presented the Ambulance Corp. a plaque in recognition of outstanding service to the community during their response to a call in the Spring of 2011. Mayor Scarpa thanked them for their dedication to the residents of Rochelle Park.

Reports:

Health Department - August 2011
Municipal Court - August 2011
Attendance Report - August 2011
Building Department - August 2011

At the Work Session held on September 14, 2011 the following resolutions were adopted and offered by Comm. Davidson and seconded by Comm. Ouellette and read:

Resolution #2011 – 169

A Resolution Awarding Contract for Purchase of Fire Vehicle

Whereas, the Rochelle Park Fire Department requested that the Township Committee approve the acquisition of a new fire vehicle for use in connection with that department; and

Whereas the specific vehicle which the Fire Department requested was described as a rear mount 85 foot tower ladder remount; and

Whereas, the Township Committee, after reviewing this request, has determined that such a vehicle is necessary for the continued operation of the fire department and for the protection of the residents and tax payers of the Municipality; and

Whereas, the Rochelle Park Fire Department formed a committee in connection with the acquisition of this vehicle and prepared specifications in connection with the same; and

Whereas, these specifications were reviewed by the Chief Financial Officer of the Township as well as the Township Attorney and the same were approved; and

Resolution #2011 – 169 (cont.)

Whereas, the Township Committee thereafter approved the advertisement for the solicitation of bids for the purchase of the aforementioned vehicle; and

Whereas, a date was established for the receipt of bids and said bids were, in fact, received on September 7, 2011; and

Whereas, one bid was received in response to this bid solicitation, as follow:

American LaFrance, LLC
1090 Newton Way
Summerville, South Carolina 29483; and

Whereas, the bid submitted by American LaFrance, LLC was in the amount of \$679,291.00; and

Whereas, the bid submitted, together with all attachments and exhibits were reviewed by the Chief Financial Officer for the Township of Rochelle Park as well as representatives of the Rochelle Park Fire Department and they have determined that the bid submitted is in substantial compliance with the bid specifications; and

Whereas, the Chief Financial Officer has also certified that sufficient funds are available for this purchase.

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey as follows:

1. A contract be and is hereby awarded to American LaFrance, LLC, 1090 Newton Way, Summerville, South Carolina 29483
2. This contract shall be for the purchase of one rear mount 85 foot tower ladder remount in accordance with the bid specifications and bid submitted by American LaFrance, LLC.
3. The Contract shall be in the amount of \$679,262.00 which shall include all services, equipment, warranties and all other items in compliance with the bid specifications and bid submitted by the successful bidder described herein.
4. This award is contingent upon certification by the Chief Financial Officer that sufficient funds exist for this purpose.
5. The Acting Township Administrator be and is hereby and directed to execute and all documents, invoices or purchase orders that may be necessary in order to effectuate the purchase described herein.

Now therefore be it further resolved that the Township Clerk be and she is hereby authorized and directed to forward certified copies of the within resolution to American LaFrance, LLC, the Rochelle Park Fire Department, the Township Attorney and the Chief Financial Officer for the Township of Rochelle Park.

Attest: Virginia De Maria

Resolution #2011 – 170

A Resolution Authorizing Award for the Purchase of a “Rack Truck” – Deluxe International Trucks, Inc. - \$83,306

Whereas, on Thursday, September 1, 2011, bids were received for the Furnishing & Delivering to the Township of Rochelle Park, Department of Public Works, One (1) New, unused “Rack Truck”; and

Whereas, one (1) bid were received, opened and read; and

Whereas, the Township Engineer has reviewed this bid and found it to be in order; and

Whereas, the sole bid for the Base Bid less Alternate Bid was submitted by Deluxe International Trucks Inc., 600 South River Street, Hackensack, New Jersey 07601 in the amount of \$83,306.00; and

Whereas, upon review of the bid submitted, the Township Engineer has recommended that the bid be awarded to Deluxe International Trucks, Inc., 600 South River Street, Hackensack, New Jersey 07601;

Now therefore be it resolved by the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey, that the contract for the Furnishing and Delivering to the Township of Rochelle Park Department of Public Works, One (1) New Unused “Rack Truck” be awarded to Deluxe International Trucks, Inc., 600 South River Street, Hackensack, New Jersey 07601, the sole bidder for the bid amount of \$83,306.00; and

Be it further resolved that the Chief Financial Officer has certified that funds are available from Capital Account Fund in the amount not to exceed \$83,306.00.

Attest: Virginia De Maria

Resolution #2011 – 171

A Resolution Authorizing the Leasing of Police Vehicles

Whereas, the Police Department has determined that the need exists for two additional vehicles to be used in connection with the operation of that department; and

Whereas, the Township Committee has reviewed this request and has determined that the need for such vehicles does, in fact, exist; and

Whereas, the particular vehicles requested by the Police Department are two Ford Crown Victoria vehicles which are available from Warnock Fleet and Leasing Company; and

Whereas, these vehicles are available under a state contract and, therefore, competitive bidding for the acquisition of these vehicles is not required; and

Whereas, the Police Department has recommended the leasing of these vehicles in order to reduce the initial outlay of Municipal funds; and

Whereas, the Chief Financial Officer of the Township of Rochelle Park has determined that sufficient funds exist for this purpose.

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey as follows:

1. The leasing of two Ford Crown Victoria police vehicles be and is hereby authorized.
2. These vehicles shall be in accordance with Schedule 7600000 Master Equipment Lease Purchase Agreement.
3. These vehicles will be acquired from Warnock Fleet and Leasing Company Resolution #2011 - 171 cont. pursuant to the quotation submitted to the Township of Rochelle Park dated September 9, 2011.
4. The award of this Contract is contingent upon certification by the Chief Financial Officer of the Township of Rochelle Park that sufficient funds exist for this purpose.

Now therefore be it further resolved that the Township Clerk be and she is hereby authorized to sign said agreement and directed to forward certified copies of the within Resolution to Township of Rochelle Park Police Department, the Chief Financial Officer, Ford Motor Credit Company and Warnock Fleet and Leasing Company.

Attest: Virginia De Maria

A motion was offered by Comm. Davidson and seconded by Comm. Ouellette to adopt the above resolutions. Motion carried on a roll call vote - all present voting "Aye".

The Consent Agenda was offered by Comm. Kovalcik seconded by Comm. Davidson and reads:

Resolution #2011 - 172

A Resolution – Payment of Bills – September 2011

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, that the following bills be turned over to the Treasurer, and if found to be correct, be paid provided there is sufficient funds in the various accounts. (see attached)

Attest: Virginia De Maria

Resolution #2011 – 173

A Resolution – Authorizing the Hiring of Police Officer Christopher Rios

Whereas, the Chief of Police, Richard Zavinsky, has recommended the hiring of an additional Police Officer for the Township of Rochelle Park; and

Whereas, both the Township Administrator and the Township Committee have concurred with that recommendation; and

Whereas, as a result of having made that determination, Chief Zavinsky had considered certain qualified applicants for this position; and

Whereas, as a result of having evaluated these qualified applications, Chief Zavinsky has recommended the hiring of Christopher Rios, 23 Maple Street, Ridgefield Park, NJ 07660.

Whereas, the Township Administrator has agreed with this recommendation and the Township Committee, after having reviewed Christopher Rios's qualifications, also concurs with this recommendation.

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen and State of New Jersey as follows:

1. The Township Administrator is hereby authorized to take any and all steps necessary to hire Christopher Rios, as a Police Officer for the Township of Rochelle Park.

Resolution #2011 – 173 (cont.)

2. Officer Christopher Rios shall be hired contingent upon satisfactory completion of medical, drug and psychological testing.
3. Officer Rios will be hired on Step No. 1 of the salary guide for Township Police Officers and shall be placed on a one year probationary period under the supervision of the Chief of Police, Richard Zavinsky. At the end of said probationary term, no action shall be required so long as Chief Zavinsky is satisfied that Officer Rios has satisfactorily completed the probationary period.
4. The within appointment shall be effective as of June 27, 2011 and all time periods for determination of salary, seniority, etc. shall be effective as of that date notwithstanding the fact that Officer Rios shall be sworn in as a Rochelle Park Police Officer on June 27, 2011.
5. This Resolution is contingent upon certification, by the Chief Financial Officer, that sufficient funds are available in order to facilitate this hiring.

Now, therefore, be it further resolved, that the Township Clerk be and she is hereby authorized to forward a certified copy of the within Resolution to Chief Richard Zavinsky, Officer Christopher Rios and the Chief Financial Officer.

Attest: Virginia De Maria

Resolution #2011 – 174

A Resolution – Authorizing the Hiring of Police Officer Todd Starling

Whereas, the Chief of Police, Richard Zavinsky, has recommended the hiring of an additional Police Officer for the Township of Rochelle Park; and

Whereas, both the Township Administrator and the Township Committee have concurred with that recommendation; and

Whereas, as a result of having made that determination, Chief Zavinsky had considered certain qualified applicants for this position; and

Whereas, as a result of having evaluated these qualified applications, Chief Zavinsky has recommended the hiring of Todd Starling, 72 B Linn Drive, Verona, NJ 07044.

Whereas, the Township Administrator has agreed with this recommendation and the Township Committee, after having reviewed Todd Starling's qualifications, also concurs with this recommendation.

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen and State of New Jersey as follows:

1. The Township Administrator is hereby authorized to take any and all steps necessary to hire Todd Starling, as a Police Officer for the Township of Rochelle Park.
2. Officer Todd Starling shall be hired contingent upon satisfactory completion of medical, drug and psychological testing.
3. Officer Starling will be hired on Step No. 1 of the salary guide for Township Police Officers and shall be placed on a one year probationary period under the supervision of the Chief of Police, Richard Zavinsky. At the end of said probationary term, no action shall be required so long as Chief Zavinsky is satisfied that Officer Starling has satisfactorily completed the probationary period.
4. The within appointment shall be effective as of October 1, 2011 and all time periods for determination of salary, seniority, etc. shall be effective as of that date notwithstanding the fact that Officer Starling shall be sworn in as a Rochelle Park Police Officer on October 19, 2011.
5. This Resolution is contingent upon certification, by the Chief Financial Officer, that sufficient funds are available in order to facilitate this hiring.

Now, therefore, be it further resolved, that the Township Clerk be and she is hereby authorized to forward a certified copy of the within Resolution to Chief Richard Zavinsky, Officer Todd Starling and the Chief Financial Officer.

Attest: Virginia De Maria

Resolution #2011 – 175

A Resolution – Authorizing Professional Services Contract – Rick Del Guercio – 365 W. Passaic Street

Whereas, RICK DEL GUERCIO of Appraisal Systems is a professional Real Estate Appraiser regularly engaged in the practice of providing Appraisal Reports for municipalities in the defense of real property tax appeals; and

Resolution #2011 – 175 (cont.)

Whereas, RICK DEL GUERCIO was previously appointed by the Township of Rochelle Park in order to complete the recent revaluation; and

Whereas, the Township Committee previously determined that Appraisal Reports would only be prepared if needed; and

Whereas, the Township Attorney and Tax Assessor have evaluated the matter of Mack-Cali Realty LP for property located at 365 West Passaic Street, Rochelle Park, New Jersey and have determined that there is a need for an Appraisal Report in order to adequately defend this case.

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey as follows:

1. RICK DEL GUERCIO of Appraisal Systems be and is hereby authorized to prepare an Appraisal Report and perform all other necessary services in connection with the aforementioned Real Property Tax Appeal.
2. Mr. Del Guercio's fee shall be between \$2,500.00 and \$5,000.00 based upon the specific fee proposal which shall be subject to the final review and confirmation by the Township Administrator together with \$100.00 per hour for actual court testimony.
3. This appointment is contingent upon certification, by the Chief Financial Officer, that sufficient funds exist for this purpose.

Now therefore be it further resolved that the Township Clerk be and she is hereby authorized and directed to forward certified copies of the within Resolution to the Township Attorney, Appraisal Systems, and Office of the Tax Assessor.

Attest: Virginia De Maria

Resolution #2011 –176

A Resolution – Authorizing Professional Services Contract – Rick Del Guercio – 375 W. Passaic Street

Whereas, RICK DEL GUERCIO of Appraisal Systems is a professional Real Estate Appraiser regularly engaged in the practice of providing Appraisal Reports for municipalities in the defense of real property tax appeals; and

Whereas, RICK DEL GUERCIO was previously appointed by the Township of Rochelle Park in order to complete the recent revaluation; and

Whereas, the Township Committee previously determined that Appraisal Reports would only be prepared if needed; and

Whereas, the Township Attorney and Tax Assessor have evaluated the matter of Ratan R. Park, LLC for property located at 375 West Passaic Street, Rochelle Park, New Jersey and have determined that there is a need for an Appraisal Report in order to adequately defend this case.

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey as follows:

1. RICK DEL GUERCIO of Appraisal Systems be and is hereby authorized to prepare an Appraisal Report and perform all other necessary services in connection with the aforementioned Real Property Tax Appeal.
2. Mr. Del Guercio's fee shall be between \$2,500.00 and \$5,000.00 based upon the specific fee proposal which shall be subject to the final review and confirmation by the Township Administrator together with \$100.00 per hour for actual court testimony.
3. This appointment is contingent upon certification, by the Chief Financial Officer, that sufficient funds exist for this purpose.

Now therefore be it further resolved that the Township Clerk be and she is hereby authorized and directed to forward certified copies of the within Resolution to the Township Attorney, Appraisal Systems, and Office of the Tax Assessor.

Attest: Virginia De Maria

Resolution #2011 – 177

A Resolution – Authorizing Professional Services Contract – Rick Del Guercio – 395 W. Passaic Street

Whereas, RICK DEL GUERCIO of Appraisal Systems is a professional Real Estate Appraiser regularly engaged in the practice of providing Appraisal Reports for municipalities in the defense of real property tax appeals; and

Whereas, RICK DEL GUERCIO was previously appointed by the Township of Rochelle Park in order to complete the recent revaluation; and

Whereas, the Township Committee previously determined that Appraisal Reports would only be prepared if needed; and

Resolution #2011 – 177 (cont.)

Whereas, the Township Attorney and Tax Assessor have evaluated the matter of Ratan Park, LLC for property located at 395 West Passaic Street, Rochelle Park, New Jersey and have determined that there is a need for an Appraisal Report in order to adequately defend this case.

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey as follows:

1. RICK DEL GUERCIO of Appraisal Systems be and is hereby authorized to prepare an Appraisal Report and perform all other necessary services in connection with the aforementioned Real Property Tax Appeal.
2. Mr. Del Guercio's fee shall be between \$2,500.00 and \$5,000.00 based upon the specific fee proposal which shall be subject to the final review and confirmation by the Township Administrator together with \$100.00 per hour for actual court testimony.
3. This appointment is contingent upon certification, by the Chief Financial Officer, that sufficient funds exist for this purpose.

Now therefore be it further resolved that the Township Clerk be and she is hereby authorized and directed to forward certified copies of the within Resolution to the Township Attorney, Appraisal Systems, and Office of the Tax Assessor.

Attest: Virginia De Maria

Resolution #2011 –178

A Resolution – Municipal Alliance Grant Acceptance

Whereas, the Township Committee of Rochelle Park has appointed a Municipal Alliance Committee for the purpose of providing to the community Educational Programs for Drug and Alcohol awareness; and

Whereas, the Municipal Alliance committee annually applies to the County Board of Freeholders for necessary funds to provide Drug and Alcohol awareness programs for the community; and

Whereas, the County of Bergen has advised the Township that the Municipal Alliance Committee is to receive \$10,356.00 total for the program identified in the grant application; and

Now, therefore, be it resolved that the Township Committee of the Township of Rochelle Park does hereby approve the acceptance of total grant funds of \$10,356.00; and

Be it finally resolved, that a copy of this resolution be provided to the County of Bergen and to the Chairman of the Municipal Alliance Committee.

Attest: Virginia De Maria

Resolution #2011 –179

A Resolution – Amending Meeting Dates 2011

Be it resolved by the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey that Resolution No. 2011 – 27 entitled “Meeting Dates” is hereby amended as follows:

Regular Meeting November 16, 2011 changed to November 9, 2011

Formal action may or may not be taken at the rescheduled meetings.

The Clerk is directed to publish this resolution and post on the Municipal Bulletin Board.

Attest: Virginia De Maria

Resolution #2011 –180

A Resolution – Approval to Submit a Grant Application and Execute a Grant Contract with the NJDOT for the Improvement of Cedar Drive from Passaic Street to Crescent Street Project

Now, therefore, be it resolved that the Township Committee of the Township of Rochelle Park formally approves the grant application for the above stated project.

Be it further resolved that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2012-00124 to the New Jersey Department of Transportation on behalf of the Township of Rochelle Park.

Be it further resolved that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Rochelle Park and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Attest: Virginia De Maria

Resolution #2011 – 181

A Resolution – Approval to Submit a Grant Application and Execute a Grant Contract with the NJDOT for the Improvement of Lincoln Avenue from Chestnut Avenue to Peek Street Project

Now, therefore, be it resolved that the Township Committee of the Township of Rochelle Park formally approves the grant application for the above stated project.

Be it further resolved that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2012-00123 to the New Jersey Department of Transportation on behalf of the Township of Rochelle Park.

Be it further resolved that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Rochelle Park and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Attest: Virginia De Maria

Resolution #2011 – 182

A Resolution – Settlement of Tax Appeal – Ferrone Realty, LLC

PROPERTY OWNER: FERRONE REALTY, LLC
ADDRESS: 455 ROCHELLE AVENUE
LOT: 1
BLOCK: 88
TAX COURT DOCKET NO:020262-10

	Original Assessment 2010	Reduced/Settlement Assessment 2010
Land	\$343,400.00	\$303,400.00
Improvements	\$232,800.00	\$176,600.00
TOTAL	\$586,200.00	\$480,100.00

Whereas, a real property tax appeal has been filed in connection with the above referenced property; and

Whereas, the within tax appeal has been reviewed by the Tax Assessor, Township Attorney as well as the Municipality’s Appeal Appraisal Expert. (if applicable); and

Whereas, all professionals have agreed that it would be in the best interest of the Municipality to enter into the settlement described above.

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey as follows:

1. A settlement of the above referenced real property tax appeal be and is hereby authorized
2. The settlement shall be on the terms and conditions described above.
3. The Municipal attorney is hereby authorized and directed to execute any documents including a Stipulation of Settlement which may be necessary in order to effectuate the provisions of this resolution.
4. The Tax Assessor is hereby authorized and directed to amend the records of the Municipality to reflect the above referenced settlement.

Now therefore be it further resolved that the Township Clerk be and she is hereby authorized and directed to forward certified copies of the within Resolution to the Township Attorney and the Township Tax Assessor

Attest: Virginia De Maria

Resolution #2011 – 183

A Resolution – Authorizing Use of Public Right of Way for Telecommunications Cables

Whereas, Cross River Fiber, LLC is a company authorized by the New Jersey Board of Public Utilities to provide telecommunications services; and

Whereas, pursuant to the authority received from the New Jersey Board of Public Utilities, Cross River Fiber, LLC has been authorized to place and maintain facilities within public rights of way for providing such services; and

Whereas, Cross River Fiber, LLC has now requested permission from the Township of Rochelle Park to install such facilities within public rights of way within the Township; and

Whereas, the Township Committee believes that it is in the best interest of the Municipality to authorize the placement of these facilities within public rights of way.

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen, State of New Jersey as follows:

Resolution #2011 – 183 (cont.)

1. A right of way use agreement be and is hereby authorized with Cross River Fiber, LLC.
2. The right of way use agreement shall be in the form attached to this resolution and subject to the review and approval of the Township Attorney.
3. This approval shall be for the non exclusive use of the public right of way and shall be solely for the purpose of owning, constructing, installing, operating and maintaining the aforementioned telecommunication systems.
4. The Acting Township Administrator is hereby authorized and directed to execute any documents or agreements which may be necessary in order to effectuate the provisions of the within resolution.

Now therefore be it further resolved that the Township Clerk be and she is hereby authorized and directed to forward certified copies of the within resolution to the Township Attorney, Cross River Fiber, LLC and the Department of Public Works of the Township of Rochelle Park.

Attest: Virginia De Maria

Resolution #2011 -184

A Resolution – Introduction Ordinance #1039-11- Private Storm Drain Inlet Retrofitting

Be It Resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, New Jersey, that an ordinance entitled “**AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF ROCHELLE PARK TO ADD A SECTION ENTITLED PRIVATE STORM DRAIN INLET RETROFITTING AS PART OF THE STORMWATER MANAGEMENT REGULATIONS**” be and it is hereby introduced and passed on first reading September 21, 2011 and that said ordinance be further considered for final passage at a meeting to be held on October 19, 2011 at 7:30 PM or as soon thereafter as the matter can be reached at the Municipal Complex, 151 West Passaic Street, Rochelle Park, NJ 07662 and that at or such time and place all persons interested be given an opportunity to be heard concerning same and that the Township Clerk be and she is hereby authorized and directed to publish and post said ordinance, together with a notice of the introduction thereof and the time and place when and where such ordinance will be considered for final passage.

Attest: Virginia De Maria

Resolution #2011 -185

A Resolution – Introduction Ordinance #1040-11 – Fertilizer Application

Be It Resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, New Jersey, that an ordinance entitled “**AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF ROCHELLE PARK TO ADD A SECTION ENTITLED FERTILIZER APPLICATION AS PART OF THE STORMWATER MANAGEMENT REGULATIONS**” be and it is hereby introduced and passed on first reading September 21, 2011 and that said ordinance be further considered for final passage at a meeting to be held on October 19, 2011 at 7:30 PM or as soon thereafter as the matter can be reached at the Municipal Complex, 151 West Passaic Street, Rochelle Park, NJ 07662 and that at or such time and place all persons interested be given an opportunity to be heard concerning same and that the Township Clerk be and she is hereby authorized and directed to publish and post said ordinance, together with a notice of the introduction thereof and the time and place when and where such ordinance will be considered for final passage.

Attest: Virginia De Maria

Resolution #2011 –186

A Resolution – Introduction Ordinance #1041- Refuse Containers/Dumpsters

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, New Jersey, that an ordinance entitled “**AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF ROCHELLE PARK TO ADD A SECTION ENTITLED REFUSE CONTAINERS/CUMPSTERS AS PART OF THE STORMWATER MANGEMENT REGULATIONS**” be and it is hereby introduced and passed on first reading September 21, 2011 and that said ordinance be further considered for final passage at a meeting to be held on October 19, 2011 at 7:30 PM or as soon thereafter as the matter can be reached at the Municipal Complex, 151 West Passaic Street, Rochelle Park, NJ 07662 and that at or such time and place all persons interested be given an opportunity to be heard concerning same and that the Township Clerk be and

Minutes of the Public Meeting held on September 21, 2011 cont.

Resolution #2011 – 186 (cont.)

she is hereby authorized and directed to publish and post said ordinance, together with a notice of the introduction thereof and the time and place when and where such ordinance will be considered for final passage.

Attest: Virginia De Maria

Resolution #2011 – 187

A Resolution – Authorizing Lien Redemption #11-001 – Block 1, Lot 14,15,16 & 17 - 113 Essex Street

Whereas, Roy Riggitano, Tax Collector, has advised that payment was received in the amount of \$13,048.29 from attorney Brach Eichler, LLC, to redeem TTL # 11-001 and

Whereas, Robert Rothman, located at 411 Grand Ave., Englewood, NJ 07631

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, that the following checks be issued to Robert Rothman, in the amount of \$13,048.29 from current.

Attest: Virginia De Maria

Resolution #2011 – 188

A Resolution – Authorizing Lien Redemption #2008-0008 – Block 61.01 Lot 1.01 – 175 Rochelle Avenue – Unit 316

Whereas, Roy Riggitano, Tax Collector, has advised that payment was received in the amount of \$68,365.62 from attorney James P. Curry, to redeem TTL # 2008-0008 and

Whereas, Robert Rothman, located at 409 Grand Ave., Englewood, NJ 07631

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, that the following checks be issued to Robert Rothman, in the amount of \$68,365.82 from current and \$3,600 from trust premium account for a total redemption of \$13,169.03.

Attest: Virginia De Maria

Resolution #2011 – 189

A Resolution – Authorizing Lien Redemption #2008-0010 – Block 61.01 Lot 1.01 – 175 Rochelle Avenue – Unit 321

Whereas, Roy Riggitano, Tax Collector, has advised that payment was received in the amount of \$55,676.38 from attorney Joseph L. Murray, Jr., to redeem TTL # 2008-0010 and

Whereas, Crusader Lien Servicing Corp., located at 115 West Avenue, Suite 300, Jenkintown, PA 19046

Be it resolved, by the Township Committee of the Township of Rochelle Park, Bergen County, that the following checks be issued to Crusader Lien Servicing Corp., in the amount of \$55,676.38 from current and \$1,100 from trust premium account for a total redemption of \$56,776.38.

Attest: Virginia De Maria

Resolution #2011 – 190

A Resolution – Authorizing Entering into Grant Agreement – Community Development - \$4,500

Be it resolved, that the Township Committee of the Township of Rochelle Park wishes to enter into a grant agreement with the County of Bergen for the purpose of using \$4,500.00 in 2011 Community Development Block Grant funds for Senior Citizen Activities located at 151 W. Passaic Street

Be it further resolved, that the Township Committee hereby authorizes Joseph Scarpa to be a signatory for the aforesaid grant agreement; and

Be it further resolved, that the Township Committee hereby authorizes Virginia De Maria, RMC to sign all County vouchers submitted in connection with the aforesaid project; and

Be it further resolved, that the Township Committee recognizes that the Township of Rochelle Park is liable for any funds not spent in accordance with the Grant Agreement; and that liability of the Township Committee is in accordance with HUD requirements.

This resolution was adopted by the Township Committee of the Township of Rochelle Park at a meeting on September 21, 2011.

Attest: Virginia De Maria

Resolution #2011 –191

A Resolution – Authorizing Release of Closed Session Minutes – September 7 or 14, 2011

Whereas, pursuant to the Open Public Meetings Act (N.J.S.A. 10:4-1 et seq.) certain issues may be discussed by the Township Committee in a session which excludes the public; and

Whereas, the aforementioned law requires that the minutes of said closed sessions be released as soon as practicable after the meeting and so long as the release of the minutes will not be adverse to the interests of the public and/or the Township; and

Whereas, pursuant to statute, the purpose of this Resolution is to disclose the information which was discussed in closed session on September 14, 2011 to the extent that said information can be disclosed without adversely affecting the Township or the public interest.

Now, therefore, be it resolved, by the Township Committee of the Township of Rochelle Park, County of Bergen and State of New Jersey that the attached closed session minutes may be released to the public in accordance with the requirements of New Jersey State Law; and

Be it further resolved, that any minutes which have not been released pursuant to this Resolution shall be reviewed periodically by the Township Attorney and further recommendation shall be made for the release of additional minutes as the release of same is deemed to be proper.

Attest: Virginia De Maria

CLOSED SESSION MINUTES – June 13th, 2011

A motion was made for the Township Committee to go into closed or executive session to discuss matters of personnel, litigation and negotiations. The following represents the minutes of that closed session to the extent that those minutes may be released at this time:

1. Police Department – The Township Administrator provided a brief report on anticipated retirements within the Police Department.
2. Litigation - The Township Attorney provided a litigation update regarding the Lotz, Vogel and Valencia litigation matters.
3. DPW Garage - A discussion was conducted regarding the current status of the DPW garage construction and potential litigation arising therefrom.

Attest: Virginia De Maria

A motion was offered by Comm. Kovalcik and seconded by Comm. Davidson to adopt the Consent Agenda. Motion carried on a roll call vote – all present voting “Aye”.

Swearing in of new Police Officer – Todd Starling

Comm. Davidson swore in new police officer Todd Starling while his family surrounded him and held the bible. Patrolman Starling’s wife pinned on his badge.

Chief Zavinsky congratulated officer Starling on his new position explaining that he was replacing a retiring officer. He also explained that Officer Starling would be an asset to the department. The Chief reminded him that to protect and serve the residents of Rochelle Park should be his top priority. He wished him a long, happy and safe career. Chief Zavinsky then advised all that refreshments would be served in the Senior Center.

A motion was offered by Comm. Valenzuela and seconded by Comm. Davidson to open the meeting to the public. Motion carried on a voice vote – all voting “Aye”.

Mayor Scarpa informed the residents that representatives from Emergency Management, the Building Department, Township Engineer, Fire Department, Police Department, Ambulance Corp. and DPW were on hand to answers questions regarding Hurricane Irene.

John Gross – 142 W. Oldis Street – Advised that he had been a supporter of the Township Committee for many years. Regarding the dredging of the Sprout Brook, Mr. Gross felt more attention was being focused on the environment instead of the residents. He feels that the Township Committee should contact the League of Municipality for their support. He feels local municipalities affected by the flooding of Sprout Brook and the Saddle River should unite as a force to possibly get the dredging process under way. Mr. Gross stated his displeasure with the building up of the wet lands within the Township. He then suggested possibly utilizing the abandoned swimming pool, The Old Mill, located in Paramus along the Sprout Brook’s path. He felt water could be diverted

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into the pool to alleviate flooding along the brook's route. Mayor Scarpa reminded Mr. Gross that for the past 25 years the Township has been in litigation with builders regarding the development of wet land property at the end of Terrace Avenue. Mayor Scarpa advised that the Township Committee has also been fighting the development of the Garden State Plaza Shopping Mall. Comm. Valenzuela advised that he had attended a meeting with communities along the Saddle River to discuss the flooding issues. Problems were found in Lodi and Garfield i.e. low bridge structure in Garfield. He stated that Rochelle Park would continue to fight this battle in an attempt to curb the flooding. Mr. Gross then made reference to an article in "The Record" newspaper where Mayor Scarpa was quoted indicating that due to the Hurricane and the cost involved in the cleanup taxes increases were inevitable and asked for clarification. Mayor Scarpa clarified his statements. He advised that one million dollars had already been spent during and after Hurricane Irene. Scarpa state that if the insurance company and FEMA do not cover the expenses already paid out, tax money would need to be used to pay these bills. Mayor Scarpa informed that he had written to the County Executive and the Freeholder Board and strongly suggested diverting the money being allocated for the expansion of Rt. 17 to dredge the Saddle River.

Noreen Sweeney - 98 Howard Avenue – Expressed her displeasure that the Township Committee was unaware that the local Social Services Board was offering money for food to flood victims. Mayor Scarpa advised Ms. Sweeney that many activities were coordinated through Bergen County OEM who never informed the Committee of this program. Comm. Valenzuela advised that CERT members were continuously passing out information and meals to residents in need. Sacred Heart Church continues to serve meals to residents. Mayor Scarpa thanked OEM for a tremendous job. Ms. Sweeney again explained her displeasure with the Committee not explaining to residents ICC clause in their insurance policies. Construction Code Official Bolan explained to the residents an overview of ICC clause stating that not all residents have ICC coverage in their policies. Ms. Sweeney thanked Mr. Bolan for his assistance in the past while her home was being raised, utilizing the ICC premiums. Mr. Bolan advised the residents that he would meet with them after the meeting to discuss their individual situations and needs.

Sal Antista – Deputy OEM Coordinator – Advised that Rochelle Park OEM held a flood awareness program in July, 2011 and only seven residents attended.

Mr. Bolan also explained that through the extraordinary efforts of the Building Department, Rochelle Park's Community Rating System Category number had been reduced from 10 to 8 which allows people obtaining flood insurance to receive 10% discount on their premium. Comm. Valenzuela asked Mr. Bolan to post info on the Township's website.

Sal Antista – Deputy OEM Coordinator – Advised that another flood awareness program would be held in the near future. The goal of the meeting is to make residents aware of preparation for a flooding event. He urged all residents to attend.

Patricia Busam – 97 W. Oldis Street – Asked the results of the testing of Carlock Field after the Hurricane. Township Engineer Ken Job advised that there was no contamination found on Carlock Field. Mayor Scarpa advised that the field would not be repaired shortly as it was being submitted to the Township's insurance company for repair or replacement. Ms. Busam was concerned with contamination and the possibility of contracting cancer. Again the engineer reported that there was no contamination of Carlock Field.

Jay Wilson – 34 Howard – Asked if the Township Committee could have the County Park behind Howard Avenue cleaned. She also thanked the DPW for their hard work during and after the flood. Mayor Scarpa advised that they would contact the County Parks Department to clean up the park. Ms. Wilson also asked for an explanation of ICC coverage. Mr. Bolan gave the resident a thorough explanation. Mr. Bolan again advised that he would be available to meet with residents after the meeting.

Sal Antista advised the Township Committee to contact the County Mosquito Commission for cleaning of the park behind Howard Avenue.

Denise Gustavsen – 234 Howard Avenue – Applauded the Township Committee and all departments for making residents aware and educating them about Hurricanes and floods. Ms. Gustavsen is a member of the CERT team. She thanked the police stating that she

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always felt safe during the Hurricane due to their constant presence. She thanked everyone for a terrific job.

Terrance Conners - 77 Howard Ave – Asked how long permit fees would be waived. Mayor Scarpa advised that permit fees would continue to be waived for flood damage.

George Bello – 57 Lexington Avenue – Addressed issues with new owners of 50 Essex Street. The new owners had removed mature trees and replaced them with 5 ft. trees. This resident advised that he felt the new fence was too low and did not stop vehicle lights from impacting his residence. Township Engineer Job addressed the residents concerns. He also advised that the new owner had posted a maintenance bond for repairs to the property. Also, if the new owner does not conform to the previously submitted plans which were a condition of the approval he will not be issued a Certificate of Occupancy.

Patrick Fitzpatrick – 86 W. Oldis Street – Asked why residents were not informed that the pump station had been compromised and sewage was backing up into homes during the Hurricane. Mr. Job advised that the pump station failed at approximately 3:00 AM and there wasn't time to notify residents. Mr. Job advised that a major problem during a flooding event is residential sump pumps discharging into the sanitary sewer system. He encouraged residents to have back flow preventers installed on their home sewer lines. Mr. Fitzpatrick informed that he did not feel the Carlock Field drainage system was operational. Mr. Job stated it was working properly however during a Hurricane it was not expected to function properly due to amount of water on the field.

Kathleen Caragliano – 66 Hahn – Asked why back flow preventers could not be placed on the Township's pump station. The Township Committee asked Mr. Job to explain to the residents the differences between the Sanitary Sewer lines and storm drains which he did. Mrs. Caragliano also informed the Township Committee that she had a three page hand-out explaining ICC insurance coverage. She felt it should have been distributed to the residents.

Tom Krieger - 16 Eldorado Court – Asked the Township Committee assistance as his property floods during small rain storms as well as Hurricanes. He places sand bags along his property any time it is going to rain. Engineer Job explained the drainage situation on Eldorado Court and Berdan Street. Mayor Scarpa advised that we need help from officials on a higher level to dredge the Saddle River and Sprout Brook not to expand Rt. 17 for a football game in 2014.

A motion was offered by Comm. Valenzuela and seconded by Comm. Ouellette to close the public portion. Motion carried on a voice vote – all voting “Aye”.

Committee's/Administrator's/Attorney's Reports

Comm. Kovalcik – No Report

Comm. Davidson – Thanked the entire membership of the OEM team. He congratulated them on a phenomenal job and stated that it was a great pleasure working along side each and everyone of the team. He also thanked the CERT members for going above and beyond.

Comm. Ouellette – Echoed the sentiments of Comm. Davidson stating that she was very thankful to be part of the team working side by side.

Comm. Valenzuela – Fire Department August Report – 88 calls
Valenzuela advised that the fire department had taken part in 30 water evacuations during Hurricane Irene. He thanked all the emergency services for a job well done. He then thanked the building department for a continuous great job. He thanked the American Legion for the recent 9/11 ceremony. He advised that the piece of World Trade Center steel obtained by the Township would be displayed in a monument placed at Midland School. Valenzuela asked for a moment of silence in remembrance of the passing of Lewis Bilka.

Mayor Scarpa- Read a letter prepared by OEM Coordinator Peter Donatello. See attached.

Administrator De Maria – Thanked everyone for their hard work during Hurricane Irene. She was pleased that there were no injuries.

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Comm. Davidson – Advised that as of today's date FEMA has not yet entered Rochelle Park.

A motion was offered by Comm. Ouellette and seconded by Comm. Kovalcik to adjourn the meeting. Motion carried on a voice vote – all present voting “Aye”.

Respectfully submitted,

Virginia De Maria
Municipal Clerk